

RESOLUTION NO. R-87-1108

RESOLUTION APPROVING ZONING PETITION 81-70(B):
Modification of Commission Requirements

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 81-70(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 26, 1987 and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission:
and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session that Petition No. 81-70(B), the petition of RMB PROPERTIES PARTNERSHIP, by Richard R. Roick, Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS TO AMEND THE FOLLOWING CONDITION PLACED ON ZONING PETITION NO. 81-70 APPROVED APRIL 23, 1981.

Condition No. 5 of Zoning Petition 81-70 which presently states:

"5. Petitioner shall construct a six (6) foot wall along the south property line."

Request Condition No. 5 to read:

"5. Petitioner shall construct a six (6) foot wall along the south property line at the ~~time~~ the adjacent property immediately south is either developed and/or rezoned (Commercial or Industrial)."

The property is located on the southwest corner of the intersection of Military Trail (SR 809) and Dyer Boulevard in a IL-Light Industrial Zoning District was approved as advertised subject to the following conditions:

1. Petitioner shall comply with all conditions of previous approvals unless expressly modified herein.
2. Condition No. 5 of Zoning Petition No. 81-70 (Resolution R-81-604) which states:
"5. Petitioner shall construct a six (6) foot wall along the south property line."
is hereby deleted.
3. Petitioner shall construct a wall, fence, berm, hedge, or any combination thereof to a height of six (6) feet as provided by the provisions of the Alternative Perimeter Landscape Strip No. 3 (Section 500.35). If the petitioner proposes to install a hedge, the hedge must be six (6) feet in height within one (1) year of the final adoption of the resolution approving this Modification.
4. The application and engineering plans, calculations etc. to construct well and / or septic tank must be submitted to the Health Department prior to site plan approval.

Commissioner Wilken, moved for approval of the petition. The motion was seconded by Commissioner Adams, and upon being put to a vote, the vote was as follows:

Carol A. Roberts -- Aye
Karen T. Marcus -- Absent
Dorothy Wilken -- Aye
Kenneth M. Adams -- Aye
Carol J. Elmquist -- Aye

The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of March 26, 1987.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

Kathryn S. Miller
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney